

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	No. 1:14-CR-306
)	
PEDRO ANTHONY ROMERO CRUZ, <i>et al.</i> ,)	The Honorable Gerald Bruce Lee
)	
Defendants.)	
)	

GOVERNMENT’S REQUEST FOR CLARIFICATION OF COURT ORDER

The United States of America, by and through undersigned counsel, respectfully requests a clarification of the Court’s order issued today, March 2, 2016, in open court as to defendants’ motion to continue the trial date. The government understands that the Court has issued two sanctions as a consequence of the government’s recent disclosure of approximately 920 jail calls:

1. The government may not use any of the calls either in its case-in-chief, for cross-examination purposes, or in rebuttal.
2. The government must provide defendants with transcripts of any calls involving any witnesses the government intends to call at trial.

The government’s understanding at the hearing was that the Court has imposed these two sanctions with respect to the approximately 920 jail calls produced on or about February 16, 2016. However, upon further reflection, the government wishes to ensure that the Court did not intend to impose these sanctions with respect to recordings produced much earlier in discovery, including the approximately 7,000 calls from a consensual wire which were produced in December 2014. The government respectfully requests that the Court’s written Order on this matter specify the scope of the calls implicated by the sanctions imposed.

Respectfully Submitted,

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/s/

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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd of March, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which automatically generated a Notice of Electronic Filing to counsel of record.

/s/

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